

Adopted	Rejected
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## COMMITTEE REPORT

YES:	13
NO:	0

### MR. SPEAKER:

*Your Committee on Courts and Criminal Code, to which was referred House Bill 1260, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 2, after line 3, begin a new paragraph and insert:
- 2 "SECTION 3. IC 35-38-2.5-5.5, AS ADDED BY P.L.137-2001,
- 3 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 4 JULY 1, 2003]: Sec. 5.5. (a) A court may not place an offender who
- 5 resides in a different county on home detention unless:
- 6 (1) the offender is eligible for home detention in the county in
- 7 which the person resides; and
- 8 (2) supervision of the offender will be conducted by the probation
- 9 department or community corrections program located in the
- 10 county in which the offender resides.
- 11 **However, if the offender resides in a county that is contiguous to**
- 12 **the sentencing court, the sentencing court may place the offender**
- 13 **on home detention under the supervision of the probation**
- 14 **department or community corrections program located in the**

- 1       **county of the sentencing court.**
- 2       (b) If an offender is:
- 3           (1) currently serving home detention in a county that operates a
- 4           home detention program; and
- 5           (2) being supervised by a probation department or community
- 6           corrections program located in a different county;
- 7       the court shall order that supervision of the offender be transferred to
- 8       the probation department or community corrections program located in
- 9       the county where the offender resides. **However, if the offender is**
- 10       **currently serving home detention in a county that is contiguous to**
- 11       **the sentencing court, the sentencing court may place the offender**
- 12       **on home detention under the supervision of the probation**
- 13       **department or community corrections program located in the**
- 14       **county of the sentencing court.**
- 15       (c) All home detention fees described in section 8 of this chapter
- 16       shall be collected by the probation department or community
- 17       corrections program that supervises the offender."
- (Reference is to HB 1260 as introduced.)

**and when so amended that said bill do pass.**

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Representative Weinzapfel